

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL COUNCIL MEETING DATE: APRIL 4, 1990

FROM: THE CITY MANAGER'S OFFICE

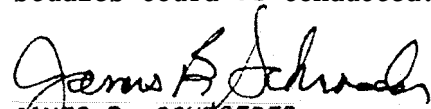
SUBJECT: GRANNY UNIT

INDICATED ACTION: At its meeting of Monday, March 12, 1990 the Planning Commission recommended to the City Council that a moratorium be placed on the approval of additional "granny units" in the eastside rezoning area until the City can determine that the additional units will not adversely impact public facilities.

BACKGROUND INFORMATION: As the City Council is aware, State law requires that cities and counties in California permit second residential units (i.e. "granny units") in areas zoned for single-family purposes. Since the second unit was added to the R-1 and R-2 Districts in 1984 only 3 or 4 of such units have been constructed.

At its meeting of February 26, 1990 the Planning Commission received an application for a "granny unit" at 205 Flora Street in the Eastside rezoning area. Although the Planning Commission had no basis to deny the request, Commission members expressed concern that a "granny unit" on a substantial number of Eastside single-family lots could impact existing in-ground sanitary sewers and fire suppression systems.

The Public Works Director indicated that one unit was not a problem but a substantial number of such units could lead to trouble. Since neither the staff nor the Planning Commission knew how many additional "granny units" could be safely constructed, the Commission recommended a moratorium until the necessary studies could be conducted.


JAMES B. SCHROEDER
Community Development Director

JBS/bjb



CITY OF LODI
CARNEGIE FORUM
305 West Pine Street. Lodi



NOTICE OF PUBLIC HEARING

Date: April 4, 1990

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk
Telephone: 333-6702

NOTICE OF PUBLIC HEARING

April 4, 1990

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

The Planning Commission's recommendation to the City Council that a moratorium be placed on the approval of additional "granny units" in the eastside rezoning area until the City can determine that the additional units will not adversely impact public facilities.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
City Clerk

Dated: March 22, 1990

Approved as to form:

Bobby W. McNatt
City Attorney

ORDINANCE NO. 1481

AN UNCODIFIED URGENCY INTERIM ORDINANCE OF THE LODI CITY COUNCIL
IMPOSING A MORATORIUM ON SECOND UNITS IN THE EAST SIDE REZONING AREA

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1.

WHEREAS, the City of Lodi on November 4, 1987 in Ordinance No. 1409 adopted the East Side Rezoning Plan, downgrading to R-1 certain property in the area described in such Ordinance; and

WHEREAS, in connection with this action, studies revealed certain deficiencies in the City's water, sewer, and storm drainage systems for this area; and

WHEREAS, under California Government Code Section 65852.2, second units ("granny units") are an allowed use in R-1 zones; and

WHEREAS, a proliferation of such second units in the East Side Rezoning Area could foreseeably tax existing water, sewer, and storm drainage systems beyond their capacities;

NOW, THEREFORE, BE IT ORDAINED by the Lodi City Council that pursuant to Government Code Section 65858(a), the Lodi City Council makes the following findings:

FINDINGS.

1. The Environmental Impact Report for the East Side Plan Alternatives adopted herein by reference, and on file in the Office of the City Clerk, was prepared by Jones and Stokes Associates for the City of Lodi in July, 1987.

2. Chapter 9, Water, of that environmental document states portions of the water system in the area are either at or over capacity and indicates that this problem can be mitigated by constructing ~~new~~ water wells, installation of ~~new~~ main transmission lines and placement of ~~new~~ water lines and fire hydrants to ensure adequate water and fire suppression systems. (Pages 9-19 through 9-22).
3. Chapter 10, Sewerage, of that report indicates that portions of the sanitary sewer system in the East Side study area are at or over capacity and ~~recommends~~ that these inadequacies can be mitigated by upgrading the trunk and collection sewers. (Pages 10-20 through 10-22).
4. Chapter 11, **Storm** Drainage, indicates that portions **of** the area lack adequate storm drainage facilities, and further states that these facilities can be made adequate **by** constructing ~~new~~ trunk and collection facilities. (Pages 11-11 through 11-14).
5. That the aforesmentioned conditions constitute a current and immediate threat to the public health, safety or welfare and that approval of additional building permits would result in a threat to the public health, safety or ~~welfare~~.

6E IT FURTHER ORDAINED, that the City Council hereby imposes a moratorium on construction of all second units on R-1 lots in the area designated **as** the East Side Rezoning Area, more particularly described

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in Ordinance 1409, pending study and remediation of deficiencies in the water, sewerage, and storm drain facilities in the subject area.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This is an urgency interim ordinance based on health, safety, or welfare considerations and shall be effective immediately upon its adoption.

SECTION 4. This urgency interim ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect immediately upon its passage. This ordinance shall expire forty-five (45) days from its date of adoption, unless sooner extended by Council action following notice and hearing pursuant to Government Code Section 65090.

Approved this 4th day of April

John R. Snider

JOHN R. SNIDER
MAYOR

Attest :

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK

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State of California
County of San Joaquin, ss.

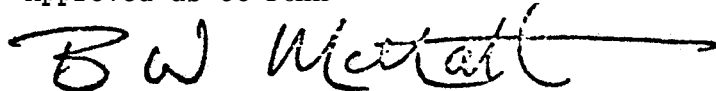
I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1481 was adopted as an urgency interim ordinance at a regular meeting of the City Council of the City of Lodi held April 4, 1990, and was thereafter passed, adopted and ordered to print by the following vote:

Ayes :	Council Members - Hinchman, Olson, Pinkerton, Reid and Snider (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain :	Council Members - None

I further certify that Ordinance No. 1481 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form



BOBBY W. McNATT
CITY ATTORNEY

ORD1481/TXTA.023